Jato 8/3/99

IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Clay Hill Circle,

54' N of centerline of Ashland Road

8th Election District

3rd Councilmanic District

(201 Clay Hill Circle)

Ron & Joanne Riemer Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 99-529-A

* * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for administrative variance filed by the legal owners of the subject property, Ron & Joanne Riemer. The variance request is for property located at 201 Clay Hill Circle, located in the Hunt Valley area of Baltimore County. The Petitioners herein seek a variance from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a sideyard setback of 3 ft. in lieu of the required 15 ft. for a window to property line. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of August, 1999 that a variance from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a sideyard setback of 3 ft. in lieu of the required 15 ft. for a window to property line, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TMK:raj

SOLE POT CENTRE INC.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

August 4, 1999

Mr. & Mrs. Ron Riemer 201 Clay Hill Circle Hunt Valley, Maryland 21030

Re: Petition for Administrative Variance

Case No. 99-529-A

Property: 201 Clay Hill Circle

Dear Mr. & Mrs. Riemer:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

hunter Kotro es

TMK:raj Enclosure



REU 9|15|98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	201	CLAY	HILL	CIR	CLE
whiel	h is prese	ntly zoned	D_{s}	K	35

This Petition shall be filed with the Department of Permits at	nd Development Management. The undersigned local
owner(a) or the broberty situate its ballitudge contint and which is	described in the description and plat attached barets and
made a part hereof, hereby petition for a Variance from Section(s))

U, B. 6. 6 (CMDP) to permit a side yard setback of 3 ft. in lieu of the required 15 ft. for a window to progerty line.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:		Legal Owner(s):
Name - Type or Print		RON + JOANNE RIEMER
Signature		Signature LOANNE RIEMER
Address	Telephone No.	Name - Type or Print
Attorney For Petitioner:	ate Zip Code	Signature Zo Chay HILL CIRCLE 1905 Address Telephone No.
Name Type or Print		HUNT VALLEY MD 21030 City State Zip Code
Signature		Representative to be Contacted:
Company		Name
Addless	Telephone No.	Address Telephone No.
Sta Sta	rte Zip Code	City State Zip Code
A Public Hearing having been formally of this day of regulations of Baltimore County and that the	inal the sliplest matter (be required, it is ordered by the Zoning Commissioner of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO CAG- 1-20	1	6.60

Estimated Posting Date _____7/1/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	201	CLAY Him	CIRCLE	
	Address HUNT	VALLEY	, MD	21030
	City	•	⁷ State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	wing are the fip or practical	acts upon which difficulty):	I/we base the re	quest for an Administrative
WE ARE PROPOSING THE SIDE OF OUR RESIDENCE ARE LACKING VENTILAT ACROSS THE ENTIRE N	E. THE	KITCHEN NATURA	L LIGHT	15 A PROBLEM
THERE ARE ONLY 18 SIN 7 OF THEM HAVE SIN PROPERTY. WE PLAN ARCHITECTURAL COMMIN TO THIS SUBMISSION	DE WIN TO SUM ITEE	MY PLAN	5 TO THE	COMMUNITY
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature Joanne Riemer Name - Type or Print	ormal demand additional info	Signature Name - Type or	s) will be require Print Service RIEME	
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this Juff day of Afford of Maryland, in and for the County aforesaid, per Jeanne Remer and A	ril Personally appe Con Riem	er	<u>/</u> , before me, :	a Notary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	ractorily ident forth are true a	and correct to the	on Amant(s), and best of his/her/th	a made oath in due tolm of the series and belies.
AS WITNESS my hand and Notarial Seai	(Not	ite G. G. garage Public	elli-	
		/	12	244-

My Commission Expires _

Affidavit in Support of Administrative Variance

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competent to testify thereto in the event that a pe	ublic hearing is so	heduled in the		ard thereto.	
That the Affiant(s) does/do presently reside at	201 CLA Address	Y HILL	CIRCLE	***	
	HUNT VA	LEY	MD	21030	
That based upon personal knowledge, the followariance at the above address (indicate hardshi	City wing are the facts p or practical diffic	s upon which I culty):	State /we base the re	Zīp Cod quest for an Administrativ	
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Signature RIEMEN Name - Type or Print	addițional informa	filed, Affiant(stion) Signature Roll Name - Type or I	s) will be requir	u	nd
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, performed from the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set for the Affiant (s) herein, personally known or satis law that the matters and facts hereinabove set for the Affiant (s) herein, personally known or satis law that the matters and facts hereinabove set for the Affiant (s) herein, personally known or satis law that the matters and facts hereinabove set for the Affiant (s) herein facts hereinabove set facts hereinabo	frid from the fraction of the	to me as suc	ch Affiant(s), and	a Notary Public of the Sta d made oath in due form heir knowledge and belief.	of
AS WITNESS my hand and Notarial Seal Date	Notary	Jan (& When		
	My Con	nmission Expir	res 12-01	-2002-	



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	to the Bonin	g commissioner (n Daimmui	e County
	for the prope	erty located at 20 which is present	V zoned O	Hill Citale
made a part hereof, hereby p (< M D P) to pe	etition for a Variance from Se	rmits and Development Man	agement. The uription and plat attal aul section of the li	ndersigned, legal sched hereto and
Property is to be posted and a l, or we, agree to pay expenses.	advertised as prescribed by to	g law of Baltimore County, for he zoning regulations. posting, etc. and further agree to nt to the zoning law for Baltimore	and are to be been	
		I/We do solemnly declare perjury, that I/we are the I is the subject of this Petiti	egal owner(s) of the	ne penalties of property which
Contract Purchaser/Less	<u>ee:</u>	Legal Owner(s):		
Name - Type or Print Signature		Name - Type of Print Signature	NE RIEM	ER
Address	Telephone No.	Name - Type or Print		
City	State Zip Code	Signature .	,	410
Attorney For Petitioner:		Address	u CIRCLE	785 19 05 gu Telephone No.
Name - Type or Print		HUNT VALLEY	⟨ MD State	21030 Zip Code
Signature	····	Representative to b	e Contacted:	
		<u> </u>		
Company		Name		
Address	Telephone No.	Address		Telephone No.
City	State Zip Code	City	State	Zip Code
A Public Hearing having been form thisday of _ regulations of Baltimore County and to	nally demanded and/or found to that the subject matter of hat the property be reposted.	be required, it is ordered by the Zo of this petition be set for a public hear	oning Commissioner of ing, advertised, as req	f Baltimore County, uired by the zoning
PCL III. 2017 STATE AND EXCEPT AND STORM STATE CONTINUE CONTINUE AND ADDRESS OF THE STATE ADDRESS OF THE STATE AND ADDRESS OF THE STATE ADDRESS OF THE STATE AND ADDRESS OF THE STATE AND ADDRESS OF THE STATE ADDRESS OF THE STATE ADDRESS OF THE STATE AND ADDRESS OF THE STATE ADDRESS OF THE STATE AND ADDRESS OF THE STATE A	militar mara i sa militar di militar (MOE) in associator (MOE) i distributor mara	Zoning Commission	ner of Baltimore Count	у
CASE NO. <u>99</u> -52	9-A R	eviewed By BR	Date 6	129/99

Estimated Posting Date ____

ZONING Description For 201 Clay Hill Circle

Beginning at a point on the East Side of Clay Hill Circle which is 40 Feet

wide at the distance of 54 Feet NORTH
of the centerline of the nearest improved
intersecting street Ashland Rd which is 60 feet
wide. Being lot # 1, Block B section
in the subdivision of Ashland as
recorded in Baltimore County Plat Book# 56
Folio # 76 containing 9000 square feet.
Also Known as 201 Clay Hill Circle and
located in the 8th Election District, 3rd
Council manic District.

49.529-A #529

	(730/1999 6/29/1999 14:35:20	Dept 5 528 ZOUING URTIFICATION COLIN	Con No. 1/04/14 (Apr. 101: 50.00)	eary).	5.010. A.	CASHIER'S VALIDATION
BALTIMORE COUNTY, MARYLAMD OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 6/19/74 ACCOUNT ROUL 6/3 CO	AMOUNT \$ 50,00	Dogwood Riemor	FOR: Calin Citis Horas in a feet as	DISTRIBUTION	WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER A Ginnimatically allowed and a separate and a s

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 529 -A Address 201 clay Hill Circle	
	 91
Contact Person: Bruno Rudai tir Phone Number: 410-887-33	
Filing Date: $\frac{6\sqrt{29/99}}{\sqrt{26/99}}$ Posting Date: $\frac{7/26/99}{\sqrt{26/99}}$ Closing Date: $\frac{7/26/99}{\sqrt{26/99}}$	7
Any contact made with this office regarding the status of the administrative variance should through the contact person (planner) using the case number.	be
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on t reverse side of this form) and the petitioner is responsible for all printing/posting costs. A reposting must be done only by one of the sign posters on the approved list and the petition is again responsible for all associated costs. The zoning notice sign must be visible on t property on or before the posting date noted above. It should remain there through the closi date.	iny ier the
2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to a formal request for a public hearing. Please understand that even if there is no form request for a public hearing, the process is not complete on the closing date.	file nal
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoni commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or order that the matter be set in for a public hearing. You will receive written notificati (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.	(c) ion
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must changed giving notice of the hearing date, time and location. As when the sign was original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ing be ally
(Detach Along Dotted Line)	
Petitioner: This Part of the Form is for the Sign Poster Only	
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT	
Case Number 99- 529 -A Address 201 Clay H:// Circle Petitioner's Name Rond Joanne Riemer Telephone 40-785-1905	
Petitioner's Name Kon & Joahne Kiemer Telephone 40 - 183 - 1903	-
Posting Date: $\frac{7/u/qq}{}$ Closing Date: $\frac{7/3c/qq}{}$	
Wording for Sign: To Permit a side yard setback of 3 ft, in	
Posting Date: 7/11/99 Closing Date: 7/26/99 Wording for Sign: To Permit a side yard setback of 3 ft, in lieu of the required 15 ft, for a window to property lin	၉,

APPROVED SIGN POSTERS

Stacy Gardner Telephone: 410-781-4000 Shannon-Baum Signs, Inc. Toll Free: 800-368-2295 Toll Competitive Goals Drive Fax: 410-781-4673 Eldersburg, MD 21784

Richard Hoffman Telephone: 410-879-3122

904 Dellwood Drive Fallston, MD 21047

Garland E. Moore Telephone: 410-242-4263 3225 Ryerson Circle Mobile: 410-382-4470

Tom Ogle Telephone: 410-687-8405

325 Nicholson Road Mobile: 410-262-8163

Baltimore, MD 21221 Fax: 410-687-4381

 Patrick M. O'Keefe, Sr.
 Telephone:
 410-666-5366

 523 Penny Lane
 Cell:
 410-905-8571

 Hunt Valley, MD 21030
 Fax:
 410-628-2574

410-882-2469

Linda M. Jones Telephone: 410-296-3333
Daft-McCune-Walker, Inc. Fax: 410-296-4705

Daft-McCune-Walker, Inc. Fax: 410-296-470 200 East Pennsylvania Avenue

Towson, MD 21286

Baltimore, MD 21227

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 10/21/98

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

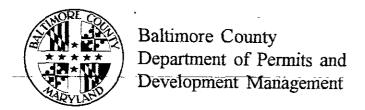
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 99-529-A
Petitioner: Ron + Joanne Riemer
Address or Location: 201 Clay Hill Circle
Hurt Valley, Md 21030
PLEASE FORWARD ADVERTISING BILL TO.
Name: Ron + Joanne Riemin
Address: 20/ Clay Hill Circle
Hunt Valley Md 2/030
Telephone Number: 410-785-1905

Revised 2/20/98 - SCJ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

July 29, 1999

Mr. & Mrs. Ron Riemer 201 Clayhill Circle Hunt Valley, MD 21030

Dear Mr. & Mrs. Riemer:

RE: Case No.: 99-529-A, Petitioner: Mr. & Mrs. Riemer,

Location: 201 Clay Hill Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 29, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: July 26, 1999

TO: Arnold Jablon, Director
Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 527, 529, 530, 002, 009, and 013

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 21, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below Zoning Agenda;

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

525, 526, 528, 529, 531, 532, 002, 003, 004, 007, 008, 009, 010, 011, 012, AND 013.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

7.20.99

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No. 529

BR

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

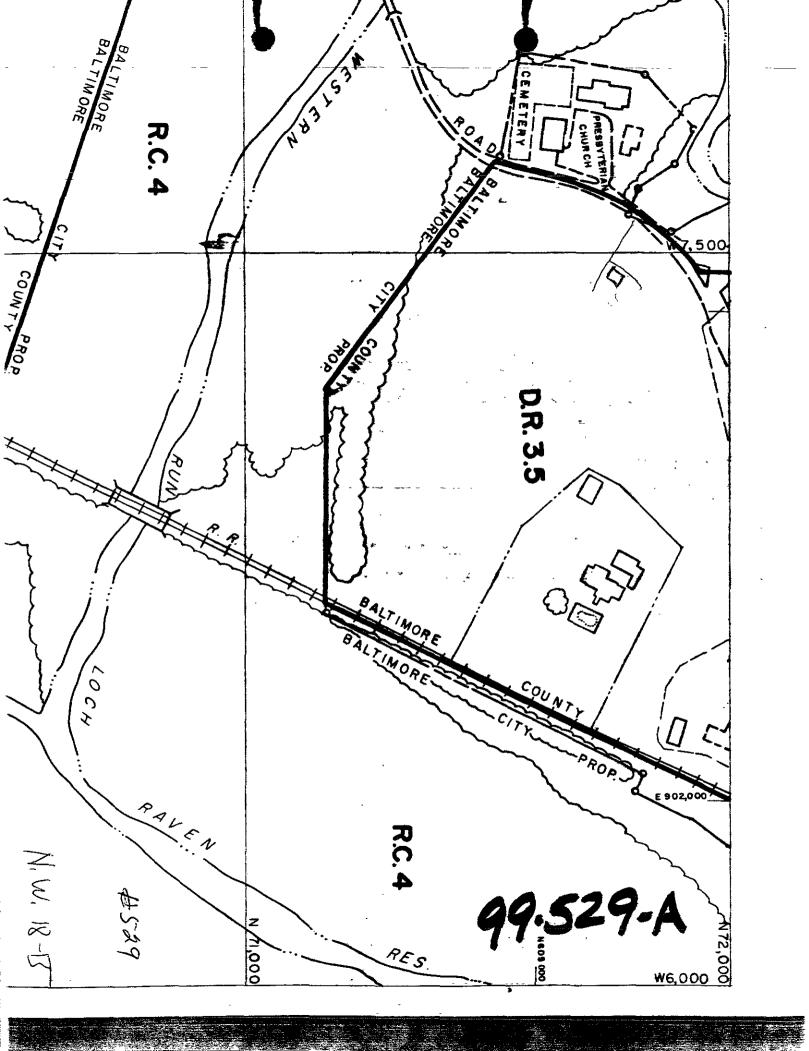
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. J. Grall

Michael M. Lenhart, Chief

Engineering Access Permits Division



ZONING Description For 201 Clay Hill Circle

Beginning at a point on the East Sal of Clay Hill Circle which is 40 Feet

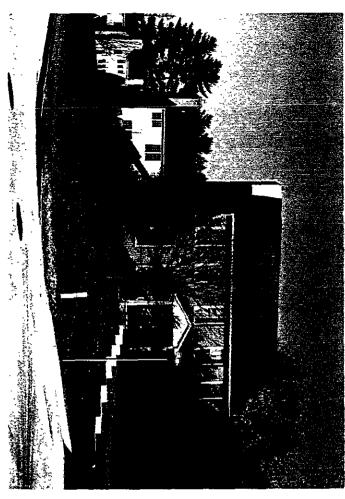
wide at the distance of 54 Feet North of the centerline of the nearest improved intersecting street Ashland Rd which is 60 feet wide. Being lot # 1, Block B section in the subdivision of Ashland as recorded in Baltimore County Plat Book# 56 Folio # 76 containing 9000 square feet. Also known as 201 Clay Hill Circle and located in the 8th Election District, 3rd Council marric District.

7	North date: 5/25/99 Transul General Scale of Drawing: 1"= 50	HLAND RD	tax 10 2000009941	L CIRCLE TO THE P.L.	72 S 3 T 9 S 1 S 1 S 1 S 1 S 1 S 1 S 1 S 1 S 1 S	THIS CIRCLE STOPPESS & A.E.R.
	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: SM 589 99-589-A	SEWER: WATER: WATER: Chesapeake Bay Crilical Area: Prior Zoning Hearings:	Election District: 8 Councilmanic District: 3 1'-200' scale map#: NW-18-13. 4 Zoning: DR: 3.5 Lot size: N/45 a.c. 4000 acreage square test	LOCATION INFORMATION	PAFER A CANY H	Special F
	DET. I	V 1		95	29.A	-15-

rel. EX.1

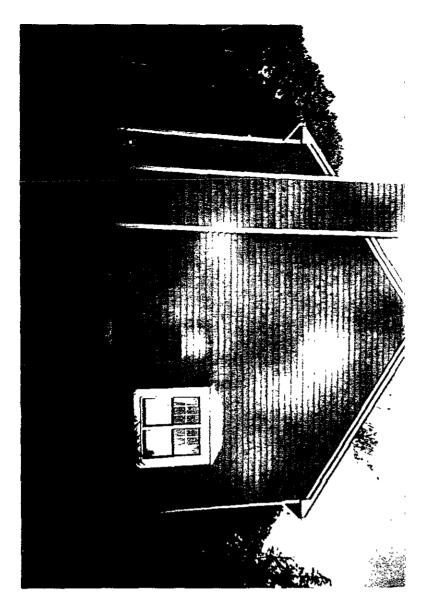
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99-529-A



#529



NHST SIDE

